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OFFICE OF PETITIONS

In re Application of :
Zhang et al. : DECISION GRANTING
Application No. 10/786,791 : PETITION
Filed: 25 February, 2004 :
Atty Dkt No. 13498-010003 :

This is a decision on the petition, filed on 28 February, 2005; which is treated as a petition under 37 CFR 1.10(c), requesting that the above-identified application be accorded a filing date of 25 February, 2004, rather than the presently accorded filing date of 24 February, 2004.

Petitioners allege that the application was deposited in Express Mail service on 25 February, 2004. In support, petitioners have provided a copy of Express Mail Label No. EV321180589US (the same Express Mail number found on the itemized transmittal sheet accompanying the original application papers located in the official file). Although the Express Mail label bears a "date-in" of "2-24-04" the label also contains an Official USPS postmark dated 25 February, 2004.

In view of the above, the correct date of deposit in Express Mail is 25 February, 2004.

In view of the above, the petition is granted. The petition fee of \$130.00 is unnecessary and will be credited to counsel's account No. 06-1050, as authorized in the present petition. The application is being forwarded to the Office of Initial Patent Examination for correction of the filing date to **25 February, 2004**.

Telephone inquiries specific to this matter should be directed to the undersigned at (571) 272-3231.

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions